REMARKS

The application has been amended to place it in condition for allowance at the time of the next Official Action.

Claims 1 and 3-15 are pending in the application.

Claims 12 is amended to recite a frequency between 50 and 100% to differentiate claim 12 from claim 3. Support for the amendment can be found at least one page 6, lines 27-30. The above change is believed sufficient to address the claim objection noted in the Official Action.

Claims 3 and 12 are amended along the lines noted in the Official Action to clarify the recited elements. However, the recited "revolutions per minute" is with respect to the shaft of the compressor. See page 5, lines 3-4. Claim 6 is amended to provide proper antecedent basis for the "conduit". The above changes are believed sufficient to address the 35 USC 112, second paragraph rejection noted in the Official Action.

Claims 1-7 and 11-14 were rejected under 35 USC §102(b) as being anticipated by KAWASAKI et al. U.S. Publication No. 2001/0013333. That rejection is respectfully traversed.

Claim 1 is amended and recites that closure timing of the controllable inlet valve is based on a varying need of pressurized gas to be delivered by the compressor. Support for this feature can be found at least on page 7, lines 8-26.

Paragraph [0024] of KAWASAKI discloses that the timing of the closure of the controllable inlet valve 12 of the

cylinder(s) of the engine is based on a target torque of the engine.

As KAWASAKI does not disclose that which is recited and rather discloses a control method having a different desired result, KAWASAKI does not anticipate the claims.

The analysis above regarding claim 1 is equally applicable to claim 14. The dependent claims are believed patentable at least for depending from an allowable independent claim.

Claims 1 and 8-10 were rejected under 35 USC §103 (a) as being unpatentable over SCHECTER 6,223,846 in view of KAWASAKI. That rejection is respectfully traversed.

The Official Action recognizes that SCHECTER fails to disclose that the inlet valve is kept closed during at least a part of an intake stroke somewhere along a path of the piston from an upper dead point to a lower dead point. Thus, SCHECTER fails to disclose the amended feature of the closure timing of the controllable inlet valve being based on a varying need of pressurized gas to be delivered by the compressor.

As set forth above, KAWASAKI fails to disclose this feature.

The above-noted feature is missing from each of the references, is absent from the proposed combination of references and thus, the proposed combination of references do not meet the present claims.

Claim 15 was rejected under 35 USC §103 (a) as being unpatentable over KAWASAKI in view of MENDLER 6,125,801. That rejection is respectfully traversed.

MENDLER is only cited with respect to dependent claim 15. MENDLER does not overcome the shortcomings of KAWASAKI set forth above with respect to claim 14. Since claim 15 depends from claim 14 and further defines the invention, claim 15 is believed to be patentable at least for depending from an allowable independent claim.

In addition, KAWASAKI does not disclose that for which it is offered with respect to a compressor connected to an engine.

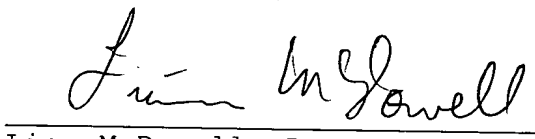
In KAWASKI, the only piston that is compressing gas is a piston of the engine. KAWASAKI does not disclose a compressor having a piston connected to an engine (which may also have a piston). Compare KAWASAKI with the paragraph bridging pages 7 and 8 of the present application.

In view of the present amendment and the foregoing remarks, therefore, it is believed that the present application has been placed in condition for allowance. Reconsideration and allowance are respectfully requested.

The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 25-0120 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,

YOUNG & THOMPSON



Liam McDowell, Reg. No. 44,231
209 Madison Street, Suite 500
Alexandria, VA 22314
Telephone (703) 521-2297
Telefax (703) 685-0573
(703) 979-4709

LM/mjr